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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Docket No. MG029A  
Guido Ghisolfi ) Art Unit: 1772  
)  
For: Recyclable Mutli-Layer Material in ) Examiner: Marc A. Patterson  
Polyester Resin )  
)  
)  
Serial No. 09/334,891 ) I hereby certify that this correspondence is being  
>) facsimile transmitted to the United States Patent  
>) and Trademark Office to Fax Number 703-872-  
>) 9306 on November 4, 2004.  
>)  
Filed: June 17, 1999 )  
)  
)  
Edwin A. Sisson \_\_\_\_\_  
) Edwin A. Sisson, Registration No. 48,723  
)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INTERVIEW SUMMARY STATEMENT

On November 3, 2004, Edwin A. Sisson and Alvin T. Rockhill, as representatives of the Applicant, participated in an interview with Examiner Marc A. Patterson regarding the subject patent application. Mr. Sisson personally met with Examiner Patterson at the Patent and Trademark Office in Alexandria, Virginia and Mr. Rockhill participated in the interview via teleconference.

Mr. Sisson reviewed the substantive distinctions between the claimed invention and the cited prior art that were already set forth in the Amendment transmitted to the Patent Office on October 15, 2004. Additionally, however, Mr. Sisson pointed out that a nucleating agent which increases the rate and level of crystallinity in the container was used in making the precursor foamed sheet in all of the examples in U.S Patent 5,681,865 to Harfmann.

The significant distinctions were summarized in Mr. Patterson's notes memorialized on form PTOL-413. Examiner Patterson desired an affidavit/declaration stating that the containers described in Harfmann must have greater than 15% crystallinity in order to be heat stable. A declaration of Dr. Kevin L. Rollick is being submitted herewith as evidence of the fact that the containers described by Harfmann have a crystallinity of greater than 15%.

Examiner Patterson indicated that he would be reviewing the claims pending in the

subject patent application and the cited prior art with his Supervisory Examiner and that he would contact the Applicant's representative in the event that further action was needed to place the subject patent application in a condition for allowance.

Respectfully submitted,

*Edwin A. Sisson*

Agent for Applicant(s)

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